

Exhibit A to Notice of Removal

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

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SCOTT L. ROSMARIN,

Plaintiff,

SUMMONS WITH NOTICE

-against-

Index No.:

DAVID A. ROSMARIN,

Plaintiff designates Orange County
as the place of trial.

Defendant.

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To the above named defendant DAVID A ROSMARIN you are hereby summoned to appear in this action by serving a notice of appearance on the Plaintiff's attorney at the address set forth below, and to do so within 20 days after the service of this Summons, exclusive of the day of service, or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York;

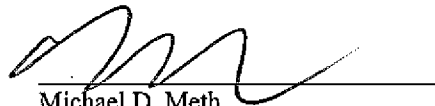
YOU ARE HEREBY NOTIFIED THAT should you fail to answer or appear, a judgment will be entered against you by default for the relief demanded herein.

Defendant: DAVID ROSMARIN

Notice: The nature of this action is: (1) Assault (2) Battery. The relief sought is monetary damages in an amount to exceed the jurisdictional limits of all lower courts. Should Defendant fail to appear herein, judgment will be entered by default for the sum of \$1,000,000.00 per cause of action.

Venue: Plaintiff designates Orange County as the place of trial. The basis of this designation is where the Plaintiff resides in Town of Monroe, County of Orange, State of New York.

Dated: May 12, 2022
Chester, New York


Michael D. Meth
Meth Law Offices, P.C.
10 Moffatt Lane, Suite 2
P.O. Box 560
Chester, New York 10918
(845) 469-9529

To: DAVID ROSMARIN
92 Longdon Derry Drive
Greenwich, CT 06830

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

-----X
SCOTT L. ROSMARIN,

Plaintiff,

VERIFIED COMPLAINT

-against-

DAVID A. ROSMARIN,

Defendant.

-----X

Plaintiff, Scott L. Rosmarin, by and through his attorney, Meth Law Offices, PC, as and for their Verified Complaint, states and alleges as follows:

NATURE OF ACTION

1. Plaintiff Scott L. Rosmarin, brings this action against Defendant David A. Rosmarin for assault and battery.

THE PARTIES

2. Plaintiff, Scott L. Rosmarin, resides at 46 School Rd, Monroe, NY 10950.
3. Defendant, David A. Rosmarin, resides at 92 London Derry Drive, Greenwich, CT 06830.

JURISDICTION

4. This Court has jurisdiction over Defendant under the CPLR as the Plaintiff resides in the County of Orange, State of New York.

5. Venue in this judicial district is proper under the CPLR as the Plaintiff resides in the County of Orange, State of New York.

STATEMENT OF FACTS

6. The Plaintiff and the Defendant are brothers.

7. On October 22, 2021, Plaintiff was at his parent's home located at 26 School Rd, Monroe, NY 10950.

8. The Defendant arrived to their parent's home located at 26 School Road, Monroe, NY10950, after the Plaintiff was already there.

9. Defendant began arguing with and verbally harassing the Plaintiff.

10. Without provocation and without warning Defendant launched towards Plaintiff placing him in apprehension and fear of an imminent attack he could not stop.

11. On October 22, 2021, Defendant assaulted and battered plaintiff by violently striking plaintiff's head and body with defendant's fists.

12. Defendant hit the Plaintiff with his fist on the left side of Plaintiff's face, knocking him down, causing eye swelling and facial pain.

13. Family members intervened and the Police (911) were called.

14. Plaintiff experienced dizziness, facial pain and nausea after the assault.

15. Plaintiff went to Garnet Health Medical Center's Emergency Department due to the injuries inflicted by Defendant. Plaintiff suffered a fractured eye socket and a concussion as a result of the assault inflicted upon him by Defendant.

16. Plaintiff has permanent injury from the attack.

17. Plaintiff was discharged from the hospital and prescribed antibiotics with instructions to follow up with ophthalmology.

AS AND FOR A FIRST CAUSE OF ACTION
ASSAULT AND BATTERY

18. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1

through 17 above as if fully restated herein.

19. That on the aforesaid date, the Defendant assaulted the Plaintiff.

19. That on the aforesaid date, the Defendant battered the Plaintiff.

20. That on the aforesaid date, the Defendant acted in a manner that caused the Plaintiff to apprehend and/or fear unfriendly contact.

21. Defendant's physical assault upon Plaintiff was willful, wanton, reckless, malicious and exhibit a gross inference to, and a callous disregard for human life, safety and the rights of others, and more particularly, the rights, life and safety of the Plaintiff.

22. That solely as a result of the foregoing, the Plaintiff was rendered sick, sore, lame and disabled, and sustained severe, serious and permanent personal injuries with the injury being permanent in nature which has prevented the Plaintiff from performing daily activities and has endured, and will continue to endure great pain, suffering and mental anguish.

23. As a direct and proximate result of the assault and battery as described above, plaintiff was seriously, painfully, and permanently injured about plaintiff's head, body, and limbs and suffered shock and injury to plaintiff's nervous system and was otherwise injured and damaged, all to plaintiff's damage in an amount to be determined at trial.

24. The Defendant, without any encouragement or inducement by plaintiff, violently and forcibly laid defendant's hands on plaintiff's person.

25. The sole cause of the injuries alleged in this complaint was the deliberate and unprovoked attack by defendant on plaintiff.

26. Due to Defendant's assault, battery and unwanted physical contact, Plaintiff has incurred damages as a result of the foregoing in an amount to be determined at trial, together with

interest thereon.

AS AND FOR A FIRST CAUSE OF ACTION
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

27. On or about October 22, 2021, the acts of Defendant described herein above in this Complaint were done willfully, maliciously, outrageously, deliberately, and purposely with the intention to inflict emotional distress upon Plaintiff. Such acts were done in reckless disregard of the probability of causing Plaintiff emotional distress. These acts did in fact result in severe and extreme emotional distress.

28. As a direct and proximate result of Defendant's acts alleged above, Plaintiff was caused to incur severe and grievous mental and emotional suffering, fright, anguish, shock, nervousness, anxiety and permeant loss of vision and ancillary injury. Plaintiff continues to be fearful, anxious, and nervous. For this harm, Plaintiff requests compensatory damages in the sum of one million dollars.

29. As a direct and proximate result of Defendant's acts alleged above, Plaintiff was caused to obtain medical treatment starting on the date of the attack and continuing until the present. Such medical and psychiatric treatment will continue for an indeterminable length of time. Plaintiff requests compensatory damages in the sum of one million dollars.

Wherefore, Plaintiff, Scott Rosmarin, prays for judgment against Defendant, David A. Rosmarin, as follows:

1. Compensatory damages in the sum of one million dollars;

WHEREFORE, Plaintiff respectfully requests that this Court award the following relief:

- a. On the First Cause of cation for assault and battery for a judgment in favor


of Plaintiff and against the Defendant, awarding Plaintiff damages in an amount to determined at trial, together with interest, costs, disbursements; and

b. On the Second Cause of Action for Intentional Infliction of Emotional Distress in an amount of one million dollars; and

c. For punitive damages in the sum of one million dollars; and

d. Costs associated with the suit and such other relief as the court deems just and proper.

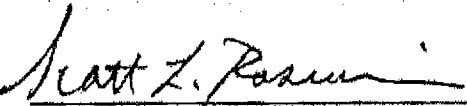
Dated: April 28, 2022
Chester, New York


Scott L. Rosmarin

VERIFICATION

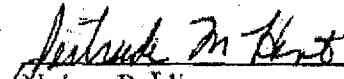
STATE OF NEW YORK)
) :SS:
COUNTY OF ORANGE)

Scott L. Rosmarin, being duly sworn, deposes and says that he is the Plaintiff in the above-named caption. I have read the annexed Complaint and the foregoing is true to my own knowledge except as to matters herein to be alleged on information and belief and as to those matter, I believe them to be true.



Scott L. Rosmarin

Sworn to before me this
28 day of April, 2022



Notary Public

GERTRUDE M. HUNT
Notary Public, State of New York
Qualified in Orange County
Registration No. 01HU6072784
Commission Expires April 15, 2026